Remarks

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

Claim Rejections - 35 USC § 112

Claim 11 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 11 has been amended to overcome the rejection. Withdrawal of the rejection is requested.

Allowable Subject Matter

The Examiner's indication that claims 4 and 6-10 contain allowable subject matter is greatly appreciated. Claims 4 and 6-10 have been amended to allowable form, and claims 3, 13 and 14 have been canceled. Dependent claims 15 and 16 have been added.

Claim Rejections - 35 USC § 102 and § 103

Claims 1, 5, 8 and 12 have been rejected under 35 U.S.C. 102(b) as being anticipated by or as being unpatentable over U.S. Patent No. 4,998,814 to Perry ("Perry").

Perry discloses a rearview mirror assembly with vibration isolation. As shown in Perry's FIG. 1, the mirror 20 and a mirror casing 18 are mounted to a mirror mounting mechanism 16. The mirror mounting mechanism 16 is mounted to a mounting bracket 14, which is mounted in turn to a mounting flange portion 22 of a mirror shell housing 12. The mirror shell housing 12 is screwed to the door D of a car with screws 28 from interior wall of the car door D.

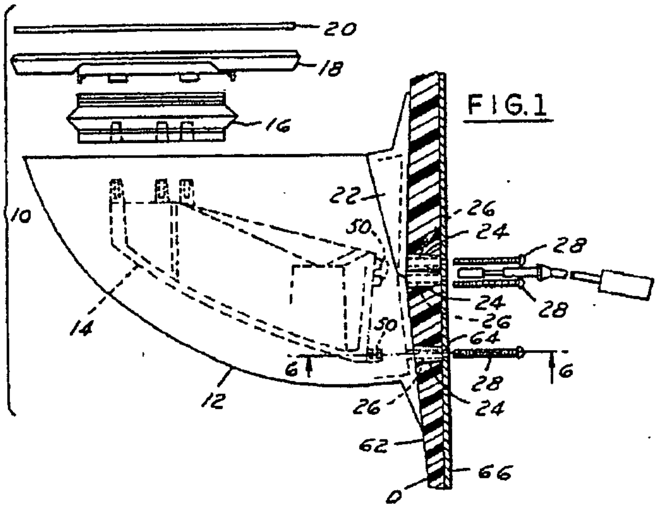
FIG.1

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The Examiner has taken the position that Perry's mounting flange 22 reads on the claimed base, Perry's mounting bracket 14 reads on the claimed mount, and Perry's mirror 20 and mirror casing 18 read on an article that can be mounted to the mount (Perry's mounting bracket 14). But unlike the claimed system with a mount to which an article can be mounted, Perry's mirror 20 and mirror casing 18 are not mounted to the mounting bracket 14. The mirror 20 and mirror casing 18 are mounted to the mirror mounting mechanism 16, which completely separates the mirror 20 and mirror casing 18 from the mounting bracket 14. No portion of the mirror 20 or the mirror casing 18 is mounted to the mounting bracket 14. Consequently, Perry fails to disclose this feature of claim 1.

As amended, claim 1 includes the limitations of claim 2. The Examiner has taken the position that Perry's mirror mounting mechanism 16 reads on the claimed adapter. While acknowledging that Perry does not show the claimed one or more passages extending through the mirror mounting mechanism 16, the Examiner has taken the position that it would have been obvious to modify the mirror mounting mechanism 16 to include such passages. In support of this conclusion, the Examiner finds motivation for the change in that "applicant has not disclosed having a passage therethrough solves any stated problem or is for any particular purpose and it appears that the mount would perform equally well with the passage or not." Paper No. 20050926, pages 3-4.

The present application provides at least one example of why such a passage through the adapter would be advantageous. The Examiner's attention is directed to page 7, line 19, through page 8, line 5, and page 8, line 29 through page 9, line 2, for example, describing the provision of an electrical connection for an article to be mounted to the mount (such as a light fixture or a smoke detector).

> Electrical connections 726 may be provided between the base 701 and the mount 702. For example, electrical connections on the base 701 may provide electrical power from the base 701 to the mount 702 to power an article that is attached to or is part of the mount 702 such as a light fixture type device 705. The electrical connections also may be used as a signal connection, in which case it will transmit data to and from a device attached to the mount 702 relative to some remote location. For example, the device 705 attached to the mount 702 may be a smoke

> detector and the signal connection may be to a remote computer, the computer having the responsibility of monitoring the status of one or more devices within a building. If the smoke detector detects a problem (e.g., low battery charge, high temperature, or smoke), the smoke detector will transmit the data over the signal connection to the central computer and the computer may act accordingly. The electrical connections also may be used to monitor the status of the system 700 or the device 705. For example, instead of sending a digital transmission to a central computer, the signal may be a simple contact closure to an alarm panel, or some other indication device. Such electrical coupling apparatus may require that the mount 702 and the base 701 be aligned in a specific orientation relative to each other in order to make the proper connections. . . .
>
> Although the orientation of the base 701 mated to the mount 702 is irrelevant with respect to the electrical connection, orientation of the adapter 704 can be important to ensure access for the installation and removal tool 703 to the mount. In addition to the adapter 705 shown in FIG. 1, three exemplary adapters 804, 904, 1004 are shown in FIGS. 5-7, respectively. The adapter 804 shown in FIG. 5 is similar to the adapter 704 shown in FIG. 1. Each adapter 804, 904, 1004 has a circular dish shape with a peripheral wall 806, 906, 1006 extending from one side of a generally circular surface 808, 908, 1008. The peripheral wall includes a pair of openings 810, 910, 1010 therein for receipt of the arms 717 (FIG. 1) of the installation and removal tool 703 (FIG. 1) to extend therethrough to the mount 702 (FIG. 1). Each adapter 804, 904, 1004 also includes a central opening 812, 912, 1012 in the circular surface to provide access to the electrical connectors 726 in the mount 702 (FIG. 1), as well as one or more additional openings 813, 913, 1013 for locating the adapter relative to the mount or for fastening the adapter to the mount.

The electrical connection must go from the article, through the adapter, the mount and the base. A passage through the adapter (such as the disclosed central opening 812) would be advantageous in providing such an electrical connection.

Motivation for modifying the teachings of a reference cannot come from the application, however, but must be found in the prior art.

The mirror mounting mechanism 16 in the Perry patent apparently works satisfactorily as it is. No suggestion has been found that would lead a person of ordinary skill in the art to modify Perry's mirror mounting mechanism 16 in the proposed manner. In fact, the mirror mounting mechanism is virtually undescribed in the Perry patent. The description essentially refers to the mirror mounting mechanism four times:

> (I) "With specific reference to FIG. 1, an exterior rearview mirror assembly 10 includes a mirror shell housing 12 attached to door D and for enclosing mirror mounting bracket 14, mirror mounting mechanism 16, mirror casing 18 and mirror 20. " (Perry, col. 2, lines 29-34);
> (II) "A plurality of integral sleeves project from the third side of the mounting bracket and a mirror mounting mechanism is mounted thereon." (Perry, col. 1, lines 52-54);
> (III) "These sleeves 60a,b,c are adapted to receive and to secure mirror mounting mechanism 16 shown in FIG. 1." (Perry, col. 3, lines 5-7); and
> (IV) "a mirror mounting mechanism for supporting said mirror" (Perry, claim 1; col. 4, lines 23-24, and repeated in further claims).

With so brief and bland a description, it is hard to see how one would be motivated to modify it in any way. It is respectfully submitted that the only reason for modifying Perry's mirror mounting mechanism comes from a hindsight application of the teachings of the present application. Accordingly, withdrawal of the rejection is respectfully requested.

Status of Claim 8

Claim 8 has been both allowed and rejected. Clarification is respectfully requested.

Examiner Interview

Telephone calls to the Examiner made on April 6 and April 11, 2006 to discuss the Office Action were not returned. The Examiner's supervisor indicated that the Examiner is on maternity leave and will be returning soon. The Examiner is encouraged to telephone the undersigned to expedite the examination process.

Conclusion

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMITTAL

[x] I hereby certify that this paper, and any documents referred to as attached or enclosed, is being facsimile transmitted to the Patent and Trademark Office (fax no. 571-273-8300) on the date shown below.

Date: April 11, 2006

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